## IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA FLORENCE DIVISION

Chandrakant Patel, Sachin Patel, and CP &	) C/A NO.: 4:22-cv-1849-JD
JP, Inc.,	)
•	)
Plaintiff,	NOTICE OF REMOVAL
	28 U.S.C. § 1441, 1446
VS.	ON BEHALF OF
	DEFENDANT ELLENBURG
City of Myrtle Beach, John Pedersen, Tom	)
Ellenburg, and Stephanie Parran,	)
Defendants.	
	)

Defendant Ellenburg, by and through his undersigned attorney, hereby gives notice of the removal of this action from the Court of Common Pleas, Horry County, South Carolina, to the United States District Court for the District of South Carolina. The grounds for removal are as follows:

- Upon information and belief, the Summons and Complaint were filed in the Horry 1. County Court of Common Pleas on or about January 27, 2022.
- 2. Upon information and belief, the Summons and Complaint were served upon this Defendant on or about May 21, 2022. His undersigned counsel, with his consent, has agreed to appear on his behalf to institute removal of this case to the proper Court of jurisdiction.
- 3. This action is now pending in the Horry County Court of Common Pleas, designated as case number 2022-CP-26-00607, and the time within which this Defendant is required by the laws of South Carolina to answer or otherwise plead has not expired.
- 4. Plaintiffs have alleged that these Defendants have denied Plaintiffs their Fourth and Fourteenth Amendment rights under the Constitution of the United States under 42 U.S.C. § 1983,

1985. (See Complaint). Accordingly, this civil action is removable under 28 U.S.C. § 1441. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343 because this case involves a federal question.

- 5. This Court also has supplemental jurisdiction over any perceived state court claims asserted by Plaintiffs in their Complaint pursuant to 28 U.S.C. § 1367.
- 6. The Florence Division is the proper venue inasmuch as the events in controversy took place within the Florence Division.
- 7. This Defendant has attached to this Notice and filed herewith copies of pleadings served upon him in this action as required by 28 U.S.C. § 1446 (A). (See Exhibit A.)
- 8. This Defendant is providing the Plaintiffs and the Clerk of Horry County Court of Common Pleas in South Carolina written notice of the removal of this action as required by 28 U.S.C. § 1446 (D).
  - 9. This Defendant is unaware if the remaining Defendants have yet been served.

WHEREFORE, this Petitioner prays that the above-entitled case be removed to this, the United States District Court for the District of South Carolina, Florence Division.

This the 10th day of June, 2022.

## I SO MOVE:

s/ Lisa A. Thomas Lisa A. Thomas, Fed ID #9950 Thompson & Henry, P.A. P. O. Box 1740 Conway, South Carolina 29528 Attorney for Defendant Ellenburg